

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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48TH RESTAURANT ASSOCIATES LLC, :
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 Plaintiff, :
 :
 -against- :
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 AVRA HOSPITALITY, et al., :
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 Defendants. :
 :
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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 9/17/2019

19-CV-7708 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

This Order replaces my Order of September 13, 2019. (Doc. 21.)

On September 12, 2019, Defendants filed a motion to dismiss the complaint pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(3), along with a memorandum of law and declarations in support. (Docs. 17–20.) Under Federal Rule of Civil Procedure 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby:

ORDERED that Plaintiffs shall file any amended complaint by October 3, 2019. It is unlikely that Plaintiffs will have a further opportunity to amend.

IT IS FURTHER ORDERED that if no amended complaint is filed, Plaintiff(s) shall serve any opposition to the motion to dismiss by October 12, 2019. Defendants' reply, if any, shall be served by October 26, 2019. At the time any reply is served, the moving party shall supply Chambers with two courtesy copies of all motion papers pursuant to my Individual Rules by mailing or delivering them to the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York.

SO ORDERED.

Dated: September 17, 2019

New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large, stylized "V" and "B".

Vernon S. Broderick

United States District Judge